

DETAILED ACTION

Acknowledgment is made of the amendment filed on 12/15/09. Claims 1-20 are currently pending.

Claim Objections

1. Claims 1, 12, 15, 16, and 18 are objected to because of the following informalities:
 - in claim 1, line 1, substitute "Mobile" with --A mobile--;
 - in claim 12, line 6, substitute "obtaining" with --obtains--;
 - in claim 12, line 8, delete an occurrence of "that";
 - in claim 15, line 3, delete an occurrence of "that";
 - in claim 16, lines 1-2, insert --a-- between "comprises" and "short";
 - in claim 18, line 3, delete an occurrence of "that"; and
 - in claim 18, line 4, substitute the second occurrence of "the" with --a--.Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claim 12, and therefore claims 13-20, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Regarding claim 12, the limitation citing “a runway which guides the mobile device in a predetermined path” is deemed vague and indefinite since it does not set forth a clear understanding of how the mobile device comprises a runway which guides the mobile device. As indicated in the specifications of the instant application, the mobile device moves along the runway and the runway is not a member of the mobile device.

For examination purposes, the limitation citing “a runway which guides the mobile device in a predetermined path” will be interpreted as the mobile device having a guide for moving the mobile device along a runway in a predetermined path.

Appropriate correction or clarification is required.

Allowable Subject Matter

4. Claims 1-11 are allowable over prior art.

5. The following is a statement of reasons for the indication of allowable subject matter: although the prior art is known which teaches radio-frequency interrogation for obtaining identifying information on articles collected, the prior art of record fails to teach or fairly suggest either alone or in combination thereof:

regarding claim 1, a mobile device for collecting and validating collected articles each article equipped with a transponder, the mobile device comprising:

an element(s) for moving along a runway in a predetermined path;

a receiving element(s) for receiving and supporting the collected articles while moving along the runway in the predetermined path; and

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comparison element(s) for comparing the identifying information obtained with references relative to a determined order for articles and thus for validating the collected articles as the articles are collected along the runway; and

regarding claim 12, a mobile device for collecting and validating collected articles, each article equipped with a transponder, the mobile device comprising:

a guide for moving the mobile device along a runway in a predetermined path;

a receiving portion configured to receive and support the collected articles while moving along the runway in the predetermined path; and

a comparison unit that compares the identifying information obtained from the transponder with a predetermined order for articles.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Theml (US 3,771,679) teaches a method for filling orders with a sorting conveyor.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMARA A. FRANKLIN whose telephone number is (571)272-2389. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jamara A. Franklin/
Primary Examiner, Art Unit 2876

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